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Attorney's Docket No.: 11926-068001

1600

1655

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vincent P. Stanton, Jr.

Art Unit :

Serial No. : 09/648,123

Examiner :

Filed : August 25, 2000

Title : GENE SEQUENCE VARIATIONS WITH UTILITY IN DETERMINING THE  
TREATMENT OF DISEASE, IN GENES RELATING TO DRUG PROCESSING

#3  
[Signature]  
6/25/01

Commissioner for Patents  
Washington, D.C. 20231

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) VARIAGENICS, INC., a corporation, certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of:

☒ An assignment from the inventors of the patent application identified above. The executed Assignment is being filed this day with the Patent and Trademark Office for recording (copy enclosed).

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above. The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints:

Anita L. Meiklejohn, Ph.D.  
Reg. No. 35,283  
FISH & RICHARDSON P.C.  
225 Franklin Street  
Boston, MA 02110-2804

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

June 7, 2001

Signature

Carrie A. Amonte

Typed or Printed Name of Person Signing Certificate

Carrie A. Amonte

Applicant : Vincent P. Stanton, Jr.  
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Page : 2



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with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to ANITA L. MEIKLEJOHN, PH.D. at:

FISH & RICHARDSON P.C.  
225 Franklin Street  
Boston, MA 02110-2804

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date:

May 10, 2001



Title:

CHIEF FINANCIAL OFFICER

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906



RECORDATION FORM COVER SHEET  
PATENTS ONLY

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Commissioner for Patents: Please record the attached original document(s) or copy(ies).	
1. Name of conveying party(ies): Vincent P. Stanton, Jr. Additional name(s) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party(ies): VARIAGENICS, INC. 60 Hampshire Street Cambridge, Massachusetts 02139 United States of America Additional names/addresses attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other: Execution Date: May 24, 2001	TECH CENTER 1600/2900
4. Application number(s) or patent number(s): If this document is being filed with a new application, the execution date of the application is: A. Patent Application No(s): 09/648,123 B. Patent No(s): Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Name/address of party to whom correspondence concerning document should be mailed: ANITA L. MEIKLEJOHN, PH.D. Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110-2804	6. Total number of applications/patents involved: 1 7. Total fee (37 CFR §3.41): \$40 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to charge Deposit Account. 8. Deposit Account No.: 06-1050 Please apply any additional charges, or any credits, to our Deposit Account No. 06-1050.
DO NOT USE THIS SPACE	
9. Statement and Signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>  Anita L. Meiklejohn, Ph.D. Reg. No. 35,283 Name of Person Signing  Signature  Date 6/7/01  Total number of pages including coversheet, attachments and document: 3	

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June 7, 2001  
Date of Deposit  
Carrie A. Amonte  
Signature  
Carrie A. Amonte  
Typed Name of Person Signing Certificate

ASSIGNMENT

For valuable consideration, I, VINCENT P. STANTON, JR. of 32 Royal Road, Belmont, MA 02178, hereby assign to:

Variagenics, Inc.

a Delaware corporation having a place of business at:

60 Hampshire Street  
Cambridge, Massachusetts 02139  
United States of America

and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent signed by me, entitled GENE SEQUENCE VARIATIONS WITH UTILITY IN DETERMINING THE TREATMENT OF DISEASE, IN GENES RELATING TO DRUG PROCESSING, filed August 25, 2000, and assigned U.S. Serial Number 09/648,123, and I authorize and request the attorneys appointed in said application to hereafter complete this assignment by inserting above the filing date and serial number of said application when known; this assignment including said application, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in its own name for patents, utility models, design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and I agree for me and my respective heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge MA,  
this 24<sup>th</sup> day of May, 2001.  
Vincent P. Stanton L.S.  
VINCENT P. STANTON, JR.

State of Massachusetts  
County of Middlesex : ss.

Before me this 24<sup>th</sup> day of May, 2001, personally  
appeared VINCENT P. STANTON, JR. known to me to be the person whose name is  
subscribed to the foregoing Assignment and acknowledged that he executed the same as his free  
act and deed for the purposes therein contained.

Darlyn E. Gorse  
Notary Public  
My Commission Expires:

[Notary's Seal Here]

October 13, 2006